

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

1934

VOLUME 5      NUMBER 74

Washington, Tuesday, April 16, 1940

## The President

### FIJI—SUSPENSION OF TONNAGE DUTIES BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

WHEREAS section 4228 of the Revised Statutes of the United States, as amended by the act of July 24, 1897, c. 13, 30 Stat. 214 (U.S.C. title 46, sec. 141), provides, in part, as follows:

"Upon satisfactory proof being given to the President, by the government of any foreign nation, that no discriminating duties of tonnage or imposts are imposed or levied in the ports of such nation upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in the same from the United States or from any foreign country, the President may issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost within the United States are suspended and discontinued, so far as respects the vessels of such foreign nation, and the produce, manufactures, or merchandise imported into the United States from such foreign nation, or from any other foreign country; the suspension to take effect from the time of such notification being given to the President, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States, and their cargoes, shall be continued, and no longer \* \* \*";

AND WHEREAS satisfactory proof has been received by me from the Government of Fiji that no discriminating duties of tonnage or imposts are imposed or levied in the ports of Fiji upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise imported in such vessels, from the United States, or from any foreign country:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by the stat-

utory provisions above set out, do hereby declare and proclaim that the foreign discriminating duties of tonnage and imposts within the United States are suspended and discontinued so far as respects the vessels of Fiji and the produce, manufactures, or merchandise imported in said vessels into the United States from Fiji or from any other foreign country; the suspension to take effect from the date of this proclamation, and to continue so long as the reciprocal exemption of vessels belonging to citizens of the United States and their cargoes shall be continued, and no longer.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 11<sup>th</sup> day of April in the year of our Lord nineteen hundred and forty, [SEAL] and of the Independence of the United States of America the one hundred and sixty fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL  
Secretary of State.

[No. 2395]

[F. R. Doc. 40-1520; Filed, April 15, 1940;  
11:38 a. m.]

### NATIONAL EMPLOYMENT WEEK

#### BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

#### A PROCLAMATION

Both the State and Federal governments have been especially concerned with the problems of older workers, many thousands of whom, despite their persistent efforts, still lack a place in industry. Among these are a considerable number of World War Veterans, who now average forty-seven years of age, and who, I feel, have a particular appeal to our national sense of responsibility.

Our public employment service—a nation-wide network of sixteen hundred offices now operated jointly by the State and Federal governments—has made

## CONTENTS

### THE PRESIDENT

	Page
Proclamations:	
Fiji, suspension of tonnage duties .....	1431
National Employment Week .....	1431
Executive Order:	
Hawaii, restoration to, of lands comprising part of Makua Military Reservation .....	1432
<b>RULES, REGULATIONS, ORDERS</b>	
TITLE 9—ANIMALS AND ANIMAL PRODUCTS:	
Bureau of Animal Industry:	
Counties placed in modified tuberculosis-free accredited areas .....	1433
TITLE 10—ARMY: WAR DEPARTMENT:	
Organized Reserves:	
Reserve Officers' Training Corps, appointments from senior division .....	1433
TITLE 18—CONSERVATION OF POWER:	
Federal Power Commission:	
Uniform system of accounts under Natural Gas Act, data for gas plant instruction 2-D .....	1434
TITLE 24—HOUSING CREDIT:	
Federal Savings and Loan Insurance Corporation:	
Insurance of accounts; surety bond .....	1436
Federal Savings and Loan System:	
Incorporation, conversion, and organization; surety bond .....	1435
TITLE 25—INDIANS:	
Office of Indian Affairs:	
Shoshone Tribe, Wind River Reservation, Wyo., judgment fund share disbursement regulations amended .....	1436
TITLE 29—LABOR:	
Children's Bureau:	
Child labor, acceptance of State certificates .....	1436

(Continued on next page)





Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

### CONTENTS—Continued

<b>TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF:</b>	
Veterans' Administration:	Page
Jurisdiction of adjudicating agencies	1437
<b>TITLE 50—WILDLIFE:</b>	
Bureau of Fisheries:	
Alaska fisheries, regulations amended	1437

### NOTICES

<b>Civil Aeronautics Authority:</b>	
Uraba, Medellin and Central Airways, Inc., postponement of hearing	1440
<b>Department of Agriculture:</b>	
Farm Security Administration:	
Connecticut, counties designated for tenant purchase loans	1438
<b>Department of the Interior:</b>	
Bituminous Coal Division:	
Price schedules submitted by examiners, mailing and inspection	1438
<b>Department of Labor:</b>	
Wage and Hour Division:	
Hosiery industry, hearing on learner employment wage rates	1438
Learner employment certificates, issuance for certain industries (2 notices)	1439
Newton Glove Mfg. Co., cancellation of learner certificate	1439
Spring freshet driving of lumber (outside northeastern and lake States), maximum hours exemption	1438

### CONTENTS—Continued

<b>Federal Security Agency:</b>	
Social Security Board:	
Nebraska Department of Labor, certification to Unemployment Compensation Division	1440
<b>Federal Trade Commission:</b>	
Orders appointing examiners, etc.:	
Charles of the Ritz Distributors Corp.	1440
M & M Bag and Suit Case Co. (Meyer Brodie and Morris White)	1441
Reading Batteries, Inc., et al.	1440
<b>Securities and Exchange Commission:</b>	
Continental Baking Co., and Ward Baking Co., unlisted trading privileges	1441
New England Gas and Electric Association and Kittery Electric Light Co., filing of declaration	1441
Standard Power and Light Corp., etc., hearing	1442
Wisconsin Securities Co., exemption denied	1441

special efforts in behalf of workers past forty years of age, including veterans. We know from the facts gathered by this agency that men and women in middle life possess abilities and skills which would fit them for employment in nearly every line of work. We know further that these older workers, when given an opportunity, demonstrate a seasoned experience and a mature application to their tasks which in many callings outweigh the physical advantages of youth.

With these considerations in mind, I issued a proclamation last year designating an Employment Week and requesting that all our citizens give particular and active attention to the problems of older workers lacking employment. During the month in which Employment Week occurred over a third of a million jobs—a third more than during the same month of the previous year—were filled through the public employment offices, and a quarter of a million of these placements were in private industry. Moreover, placements proceeded at an accelerated rate in the month following Employment Week. Because of the concerted efforts of government, of public-spirited groups, and, particularly, of employers throughout the land, thousands of workers over forty years of age, among them veterans, shared beneficially in this fine result.

I am grateful for the wholehearted response to my first appeal; and as President, I desire to encourage a continued nation-wide interest in this persistent problem.

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, do hereby designate the week beginning May 1, 1940, as National Employment Week, and Sunday, May 5, 1940, as National Employment Sunday, and I urge all churches, civic organizations, Chambers of Commerce, Boards of Trade, veterans' organizations, industry, labor, public-spirited citizens, the radio, and the press throughout the United States to observe that week as National Employment Week, to the end that interest in the welfare of all the unemployed, and especially the workers over forty years of age, may be stimulated and employment be extended to them.

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of the United States of America to be affixed.

DONE at the City of Washington this 12<sup>th</sup> day of April in the year of our Lord nineteen hundred and forty, and [SEAL] of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,  
Secretary of State.

[No. 2396]

[F. R. Doc. 40-1521; Filed, April 15, 1940; 11:38 a. m.]

### EXECUTIVE ORDER

RESTORING CERTAIN LANDS COMPRISING PART OF THE MAKUA MILITARY RESERVATION TO THE USE OF THE TERRITORY OF HAWAII

WHEREAS certain lands, including such necessary rights-of-way thereto across any adjoining territorial lands, in Makua Valley, District of Waianae, on the island of Oahu, Territory of Hawaii, were set aside for military purposes of the United States by Executive Order No. 351, dated January 23, 1929, of the Governor of the Territory of Hawaii, which lands now comprise Parcels 2 and 3 of the Makua Military Reservation; and

WHEREAS such lands are no longer required for military purposes of the United States, and it is in the public interest that they be restored to the use of the Territory of Hawaii:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered that the two following-described parcels of land comprising a part of the Makua Military Reservation, including such necessary rights-of-way thereto across any adjoining territorial lands, Territory of Hawaii, be, and they are hereby, re-



stored to their previous status for the use of the Territory of Hawaii, subject to the right of the War Department to remove such material as is needed from the howitzer emplacements, if such removal has not been accomplished prior to the date of this order:

## PARCEL NO. 2

Beginning at concrete monument No. 1, marking the southwest corner of the tract, from which the azimuth and distance to U. S. Coast and Geodetic Survey triangulation station "Lolo" is 335°26'07", 6,519.82 feet;

Thence from said initial point by azimuths and distances,

173°23'00", 330.00 feet, to concrete monument No. 4;  
269°02'30", 685.30 feet, to concrete monument No. 5;  
359°02'30", 450.00 feet, to concrete monument No. 6;  
81°50'00", 350.00 feet, to concrete monument No. 7;  
117°29'30", 347.50 feet, to the point of beginning.

This tract as described contains an area of 6.77 acres.

## PARCEL NO. 3

Beginning at concrete monument No. 1, marking the northeast corner of the tract, from which the azimuth and distance to U. S. Coast and Geodetic Survey triangulation station "Lolo" is 330°37'48", 6,420.90 feet;

Thence from said initial point, by azimuths and distances

356°02'00", 300.00 feet, to corner No. 2, marked by a brass plate in rock;  
86°02'00", 300.00 feet, to concrete monument No. 3;  
176°02'00", 300.00 feet, to concrete monument No. 4;  
266°02'00", 300.00 feet, to the point of beginning.

This tract as described contains an area of 2.07 acres.

The azimuths are measured clockwise from the true south.

The said Parcels Nos. 2 and 3 together contain an area of 8.84 acres, and are shown on map No. 11-1 7 F 33, entitled "Makua Mil. Reservation", dated March 1933, which was prepared in the office of the Department Engineer, Hawaiian Department, Fort Shafter, T. H., a copy of which is on file in the Office of The Quartermaster General, War Department, Washington, D. C.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

April 12, 1940.

[No. 8393]

[F. R. Doc. 40-1504; Filed, April 13, 1940; 10:42 a. m.]

## Rules, Regulations, Orders

## TITLE 9—ANIMALS AND ANIMAL PRODUCTS

## CHAPTER I—BUREAU OF ANIMAL INDUSTRY

[Amendment 42 to Declaration 12]

DECLARING NAMES OF COUNTIES PLACED IN MODIFIED TUBERCULOSIS-FREE ACCREDITED AREAS<sup>1</sup>

APRIL 1, 1940.

In accordance with Section 2 of Regulation 7 of B.A.I. Order 309, as amended effective September 10, 1936, the following named county is hereby declared "Modified Accredited Area" until the date given opposite the county.

California: Santa Cruz, April 1, 1943.

In accordance with Section 2 of Regulation 7 of B.A.I. Order 309, as amended effective September 10, 1936, the following named counties, having completed the necessary retests for reaccreditation, are hereby continued in the status of "Modified Accredited Areas" until the date given opposite each county named.

Alabama: Dallas, April 1, 1943; Etowah, April 1, 1943.

Arkansas: Cleburne, April 1, 1943; Scott, April 1, 1943.

California: San Mateo, April 1, 1943.

Georgia: Crisp, April 1, 1943; Dooly, April 1, 1943; Elbert, April 1, 1943; Franklin, April 1, 1943.

Idaho: Canyon, April 1, 1943; Elmore, April 1, 1943; Minidoka, April 1, 1943.

Indiana: Jennings, April 1, 1943; Wabash, April 1, 1943.

Iowa: Hamilton, April 1, 1943.

Kansas: Leavenworth, April 1, 1943; Reno, April 1, 1943; Stafford, April 1, 1943.

Kentucky: Letcher, April 1, 1943; Taylor, April 1, 1943; Washington, April 1, 1943.

Maine: Knox, April 1, 1943; Sagadahoc, April 1, 1943; Waldo, April 1, 1943.

Michigan: Montcalm, April 1, 1943.

Minnesota: Pope, April 1, 1946.

Missouri: Lewis, April 1, 1943; Maries, April 1, 1943; Osage, April 1, 1943; Shelby, April 1, 1943.

Nebraska: Custer, April 1, 1943.

Nevada: Douglas, April 1, 1943.

New Mexico: Union, April 1, 1943.

New York: Broome, April 1, 1943; Tioga, April 1, 1943.

North Carolina: Halifax, April 1, 1943; Northampton, April 1, 1943; Rockingham, April 1, 1943.

Ohio: Coshocton, April 1, 1943.

Oklahoma: Murray, April 1, 1943; Oklahoma, April 1, 1943; Okmulgee, April 1, 1943; Woodward, April 1, 1943.

<sup>1</sup>Supplements footnote to 9 CFR 77.3.

Pennsylvania: Clinton, April 1, 1943; Crawford, April 1, 1943; Lycoming, April 1, 1943; Westmoreland, April 1, 1943.

South Carolina: Greenville, April 1, 1943.

South Dakota: Beadle, April 1, 1943; Kingsbury, April 1, 1943.

Tennessee: Carroll, April 1, 1943; Johnson, April 1, 1943.

Texas: Bexar, April 1, 1943; Cooke, April 1, 1943; Deaf Smith, April 1, 1943; Gray, April 1, 1943; Taylor, April 1, 1943.

Utah: Davis, April 1, 1943; Morgan, April 1, 1943.

Vermont: Rutland, April 1, 1943.

Virginia: Cumberland, April 1, 1943; Isle of Wight, April 1, 1943; Northampton, April 1, 1943; Pittsylvania, April 1, 1943.

Washington: Jefferson, April 1, 1943. West Virginia: Cabell, April 1, 1943.

Puerto Rico: Fajardo, April 1, 1943; Las Piedras, April 1, 1943; Luquillo, April 1, 1943.

Declaration No. 12, dated October 1, 1936, as amended, is hereby further amended accordingly.

[SEAL]

J. R. MOHLER,  
Chief of Bureau.

[F. R. Doc. 40-1522; Filed, April 15, 1940; 11:45 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

## CHAPTER VI—ORGANIZED RESERVES

PART 62—RESERVE OFFICERS' TRAINING CORPS<sup>1</sup>

§ 62.30 *Appointments from the senior division.* (a) Graduates of the senior division of the Reserve Officers' Training Corps may be appointed as Reserve officers upon satisfactory completion of the course of training prescribed by law and regulations provided they meet the requirements of pertinent regulations governing appointment in the section of the Officers' Reserve Corps in which commission is sought. The recommendations of the professors of military science and tactics and the head of the institution, concurred in by the chief of the arm or service concerned, will be required in each case. Appointments are made only in the lowest authorized grade of the proper section.

(b) Students who fail to graduate from the institution but who complete successfully the prescribed Reserve Officers' Training Corps course and have successfully completed one advanced course camp may be appointed in any section of the Officers' Reserve Corps, not requiring a college degree upon the recommendation of the professor of military science and tactics and the head of the institution, concurred in by the chief of the arm or service concerned.

<sup>1</sup>Section 62.30 (5 F.R. 667) is amended.



Without such recommendations no student will be considered eligible for appointment in the Officers' Reserve Corps. (Sec. 40, as amended by sec. 33, 41 Stat. 776; 10 U.S.C. 381) (Par. 83, A.R. 145-10, May 28, 1931, as amended by Sec. II, Cir. No. 37, W.D., Apr. 10, 1940]

[SEAL]

E. S. ADAMS,  
Major General,  
The Adjutant General.

[F. R. Doc. 40-1500; Filed, April 13, 1940;  
9:09 a. m.]

## TITLE 18—CONSERVATION OF POWER

### CHAPTER I—FEDERAL POWER COMMISSION

[Order No. 73]

#### ORDER REQUIRING SUBMISSION OF SUPPLEMENTAL DATA IN CONNECTION WITH GAS PLANT INSTRUCTION 2-D OF THE UNIFORM SYSTEM OF ACCOUNTS UNDER THE NATURAL GAS ACT

APRIL 9, 1940.

Commissioners: Leland Olds, Chairman; Claude L. Draper, John W. Scott, Clyde L. Seavey. Basil Manly, not participating.

It appearing to the Commission:

(1) That Gas Plant Instruction 2-D of the Uniform System of Accounts prescribed for Natural Gas Companies, provides as follows:

"D. Not later than two years after the effective date of this system of accounts, each utility shall have completed the studies necessary for classifying its gas plant as of the effective date of this system of accounts in accordance with the accounts prescribed herein and it shall submit to the Commission the entries it proposes to make to carry out the provisions of this instruction. It shall submit, also, a comparative balance sheet showing the accounts and amounts appearing in its books as of the effective date of this system of accounts and the accounts and respective amounts as of the same date after the proposed entries shall have been made."

(2) That it is necessary in the public interest in carrying out the provisions of the Natural Gas Act and desirable in order to consider adequately the adjusting entries specified in the above-named instruction that data be furnished relative to the history of each natural gas company, its acquisitions of gas operating units or systems, the original cost thereof, the amounts entered in the books in respect thereto, the method of determining original cost, and other related information.

It is ordered:

That in submitting the information called for in Gas Plant Instruction 2-D of the Uniform System of Accounts for

Natural Gas Companies, each company shall furnish, insofar as applicable, the following statements, in triplicate, on paper cut or folded to 8½ inches wide by 11 inches long, and properly sworn to by the officer in responsible charge of their compilation:

*Statement A* showing the origin and development of the company, including, particularly, a description (giving names of parties and dates) of each consolidation and merger to which the company, or a predecessor, was a party and each acquisition of a gas operating unit or system. Any affiliation existing between the parties shall be stated.

*Statement B* showing for each acquisition of a gas operating unit or system by the reporting company or any of its predecessors: (1) the original cost (estimated only if not determinable from existing records), (2) the cost to the acquiring company, (3) the amount entered in the books as of the date of acquisition, (4) the difference between the original cost and the amount entered in the books, (5) a summary of all transactions affecting such difference, including retirements, between the date of each acquisition and January 1, 1940, and (6) the amount of such difference remaining at January 1, 1940.

If the depreciation, retirement or amortization reserve was adjusted as of the date of acquisition and in connection therewith, a full disclosure of the pertinent facts shall be made.

The amount to be included in Account 100.5, Gas Plant Acquisition Adjustments, as of January 1, 1940, shall be subdivided so as to show the amounts applicable to (a) gas plant in service, (b) gas plant leased to others, and (c) gas plant held for future use.

The procedure followed in determining the original cost of the gas plant acquired as operating units or systems shall be described in sufficient detail so as to permit a clear understanding of the nature of the investigations and analyses which were made for that purpose.

Where estimates are used in arriving at original cost or the amount to be included in Account 100.5, a full disclosure of the method and underlying facts shall be given. The proportion of the original cost of each acquisition which has been determined from actual recorded costs and the proportion estimated shall be shown for each functional class of plant. In addition there shall be furnished in respect to each predecessor or vendor company for which complete construction costs are not available, a description of such plant records as are available, including the years covered thereby.

*Statement C* showing any amounts arrived at by appraisals, recorded prior to January 1, 1940, in the gas plant accounts (and not eliminated) in lieu of cost to the reporting company. This statement should describe the appraisal and give the complete journal entry at the time the appraisal was originally re-

corded. If the entry had the effect of appreciating or writing-up the gas plant account, the amount of the appreciation or write-up should be traced, by proper description and explanation of changes, from the date recorded to January 1, 1940.

*Statement D* showing in detail as of December 31, 1939, gas plant as classified in the books of account immediately prior to reclassification, including under appropriate descriptive headings, any unclassified amounts applicable jointly to the gas department and other departments of the utility.

*Statement E* showing the adjustments necessary to state, as of January 1, 1940, Account 100, Gas Plant, including its subaccounts, Account 107, Gas Plant Adjustments, and amount of common utility plant includible in Account 108, Other Utility Plant, as prescribed in the Uniform System of Accounts.

*Statement F* showing gas plant (balance sheet Account 100) as of January 1, 1940, classified according to the subaccounts and the detailed accounts thereunder prescribed in the Uniform System of Accounts, effective on that date, and showing also the amount includible in Account 107, Gas Plant Adjustments, and the amount of common utility plant includible in Account 108, Other Utility Plant.

*Statement G* showing a comparative balance sheet, as of January 1, 1940, reflecting the accounts and amounts appearing in the books before the adjusting entries have been made and after such entries shall have been made. The balance sheet shall be classified by the accounts set forth in the Uniform System of Accounts prescribed for Natural Gas Companies.

*Statement H* giving a suggested plan for depreciating, amortizing, or otherwise disposing of, in whole or in part, the amounts, as of January 1, 1940, includible in Account 100.5, Gas Plant Acquisition Adjustments, and Account 107, Gas Plant Adjustments.

*Statement I* furnishing the following statistical information relative to gas plant:

#### Production Plant

*Manufactured gas.* Show separately for each producing plant the name and location of plant, date of original construction, type of plant (whether coal gas, coke ovens, water gas, etc.), rated 24-hr. capacity in m. c. f. of each unit and of the total plant, and date of installation of each unit installed after original construction. Show also the original cost according to the System of Accounts for each plant, by Accounts 311 to 325, inclusive.

*Natural gas.* For each "field" includible in Account 100.1, Gas Plant in Service, furnish the number of acres each of gas producing lands owned, of gas producing lands leased by the company, and of land on which gas rights only are owned, as included in Accounts 330.1, 330.2, 330.3, respectively. The same in-



formation, classified by subaccounts, shall be furnished for producing and non-producing acreage includible in Account 100.2, Gas Plant Leased to Others, and in Account 100.4, Gas Plant Held for Future Use.

For each "field" state number of feet of each size pipe used in Field Gathering Lines.

For each "field" state number of wells included in Accounts 332.1 and 332.2, segregated to show the number of wells on each type of producing lands classified under Accounts 330.1, 330.2, 330.3.

When pumping or compressing plants exist within the Production Plant, include the same information as that requested for Compressor Stations under Transmission Plant.

State type and character of Purification Equipment and Residual Refining Equipment included in Accounts 335 and 336, respectively.

Show the original cost according to the System of Accounts for natural gas production plant by each "field" and by Accounts 330.1 to 337.

#### Storage Plant

Show separately for each location the name of plant, date of construction, type and total capacity (m. c. f.) of each gas holder. State also the original cost according to the System of Accounts for each location, by Accounts 341 and 342.

If depleted gas fields are being repressured, the statements furnished shall reflect the number of acres involved and the original cost according to the System of Accounts (Accounts 341 and 342).

#### Transmission Plant

State the number of feet of each size of main.

State separately for each compressor boosting station, the name of plant, location, date of original construction, rated capacity, type and character of power unit and rated capacity and type of compressor units. Also state the capacity, type and date of installation of each additional power or compressor unit. Show for each station the original cost according to the System of Accounts by Accounts 351, 352, and 354 and by prescribed subaccounts.

#### Distribution Plant

State number of feet of each size of main and the number of active meters, house regulators and services. Give a general description of the district regulators and the number, by sizes.

Where pumping or compressor stations exist within the distribution plant, include the same information requested for similar stations under transmission plant.

#### General Plant

Describe the principal structures and improvements.

State the number and type of transportation vehicles and appurtenant equipment.

Give a description of store, shop and laboratory equipment and miscellaneous equipment.

Furnish maps, drawn to scale, upon which indicate transmission mains, location of production plants (artificial and natural), producing and nonproducing leaseholds (indicating thereon producing wells, dry holes and depleted wells), gathering systems, booster and compressor stations, communities served (noting as to wholesale or retail) and large industrial consumers. Where gas is purchased from or sold to other gas utilities, indicate location of measuring stations or gates. If scale maps are not available, furnish sketch maps upon which should be indicated approximate distances between the locations above specified.

By the Commission.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 40-1499; Filed, April 13, 1940;  
9:09 a. m.]

### TITLE 24—HOUSING CREDIT

#### CHAPTER II—FEDERAL SAVINGS AND LOAN SYSTEM

##### PART 202—INCORPORATION, CONVERSION, AND ORGANIZATION<sup>1</sup>

##### SURETY BOND TO BE PROVIDED BY FEDERAL ASSOCIATIONS WHICH OPERATE A SAFE DEPOSIT BUSINESS

Whereas § 301.16 (c) of the Rules and Regulations for Insurance of Accounts provides that the bond or bonds required of each insured institution by § 301.16 of the Rules and Regulations for Insurance of Accounts shall protect the insured institution in a manner and amount satisfactory to the Federal Savings and Loan Insurance Corporation with respect to the operation of any safe deposit business transacted by such insured institution, and

Whereas the Governor's Office, Federal Home Loan Bank Board, has requested the Review Committee, Federal Home Loan Bank Board, to make a study of the methods used by savings and loan associations operating a safe deposit business and to make recommendations to the Board of Trustees providing for certain standards, under which the hazards of such business will be minimized and reasonable protection against such hazards provided, and which standards may serve the Governor's Office as a basis for determining, without the necessity of bringing each case to the Board's attention, the acceptability or non-acceptability of the bond

protection maintained by the association, in the light of § 301.16 of the Rules and Regulations for Insurance of Accounts, and

Whereas the Legal Department has found that:

1. An association engaging in the safe deposit business faces two types of liability, general liabilities and contractual liabilities;

2. Building and Loan Blanket Bond, Standard Form #22, in the opinion of the Legal Department, protects the association against all general legal liabilities for loss of property contained in safe deposit boxes;

3. The association may by contract under which customers lease its safe deposit boxes incur liabilities beyond its general liabilities, the nature and extent of which depend upon the terms of the contract used by each association; and

Whereas the Review Committee, on the basis of the above findings, has made certain recommendations in which the Governor's Office concurs and which this Board desires to approve, now, therefore,

*Be it resolved*, That the recommendations of the Review Committee as hereinafter set forth are approved:

1. That such coverage as is provided by Building and Loan Blanket Bond, Standard Form #22, or the equivalent thereof, be considered a satisfactory form of protection against general legal liabilities and, provided a limitation as hereinafter recommended is by contract with the customer placed upon the replacement or loss value of the contents of each box, that the amount of the bond need not exceed that otherwise required by § 301.16.

2. That every association operating a safe deposit business shall submit evidence satisfactory to the Governor that it has a contract with each safe deposit box holder, in form approved by the association's counsel and its board of directors, which validly limits the replacement or loss value of the contents of each box to an amount not more than 5% of the indemnity provided by the aforesaid bond coverage or \$1,000, whichever is less, and which contract subjects the association to no liabilities beyond its general legal liabilities, provided, that where an association cannot validly limit its liability to the extent above required, the Board may require such adjustment in the amount of the bond or such additional coverage as it shall deem necessary. (Effective date March 11, 1940) (Sec. 5 (a) of H.O.L.A. of 1933, 48 Stat. 132; 12 U.S.C. 1464 (a))

Excerpt from the minutes of a meeting of the Federal Home Loan Bank Board on March 11, 1940.

[SEAL]

J. FRANCIS MOORE,  
Acting Secretary.

[F. R. Doc. 40-1502; Filed, April 13, 1940;  
10:14 a. m.]

<sup>1</sup>Relates to but does not actually amend § 202.12.



# CHAPTER III—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

## PART 301—INSURANCE OF ACCOUNTS<sup>1</sup>

### SURETY BOND TO BE PROVIDED BY INSURED INSTITUTIONS WHICH OPERATE A SAFE DEPOSIT BUSINESS

Whereas section 301.16 (c) of the Rules and Regulations for Insurance of Accounts provides that the bond or bonds required of each insured institution by § 301.16 of the Rules and Regulations for Insurance of Accounts shall protect the insured institution in a manner and amount satisfactory to the Federal Savings and Loan Insurance Corporation with respect to the operation of any safe deposit business transacted by such insured institution, and

Whereas the Governor's Office, Federal Home Loan Bank Board, has requested the Review Committee, Federal Home Loan Bank Board, to make a study of the methods used by savings and loan associations operating a safe deposit business and to make recommendations to the Board of Trustees providing for certain standards, under which the hazards of such business will be minimized and reasonable protection against such hazards provided, and which standards may serve the Governor's Office as a basis for determining, without the necessity of bringing each case to the Board's attention, the acceptability or non-acceptability of the bond protection maintained by the association, in the light of § 301.16 of the Rules and Regulations for Insurance of Accounts, and

Whereas the Legal Department has found that:

1. An association engaging in the safe deposit business faces two types of liability, general liabilities and contractual liabilities;

2. Building and Loan Blanket Bond, Standard Form #22, in the opinion of the Legal Department, protects the association against all general legal liabilities for loss of property contained in safe deposit boxes;

3. The association may by contract under which customers lease its safe deposit boxes incur liabilities beyond its general liabilities, the nature and extent of which depend upon the terms of the contract used by each association; and

Whereas the Review Committee, on the basis of the above findings, has made certain recommendations in which the Governor's Office concurs and which this Board desires to approve, now, therefore,

*Be it resolved*, That the recommendations of the Review Committee as hereinafter set forth are approved:

1. That such coverage as is provided by Building and Loan Blanket Bond, Standard Form #22, or the equivalent thereof, be considered a satisfactory form of protection against general legal liabilities

and, provided a limitation as hereinafter recommended is by contract with the customer placed upon the replacement or loss value of the contents of each box, that the amount of the bond need not exceed that otherwise required by § 301.16.

2. That every association operating a safe deposit business shall submit evidence satisfactory to the Governor that it has a contract with each safe deposit box holder, in form approved by the association's counsel and its board of directors, which validly limits the replacement or loss value of the contents of each box to an amount not more than 5% of the indemnity provided by the aforesaid bond coverage or \$1,000, whichever is less, and which contract subjects the association to no liabilities beyond its general legal liabilities: *Provided*, That where an association cannot validly limit its liability to the extent above required, the Board may require such adjustment in the amount of the bond or such additional coverage as it shall deem necessary. (Effective date March 11, 1940) (Sec. 402 (a), 403 (b) of N.H.A., 48 Stat. 1256, 1258; 12 U.S.C. 1725 (a), 1726 (b).)

Excerpt from the minutes of a meeting of the Board of Trustees of the Federal Savings and Loan Insurance Corporation on March 11, 1940.

[SEAL]

J. FRANCIS MOORE,  
Acting Secretary.

[F. R. Doc. 40-1503; Filed, April 13, 1940;  
10:14 a. m.]

## TITLE 25—INDIANS

### CHAPTER I—OFFICE OF INDIAN AFFAIRS

#### PART 223—JUDGMENT AND LIEU OF ALLOTMENT FUNDS

Section 223.52 of subpart B, Regulations Governing Disbursement of Pro-rata Shares of the Judgment Fund of the Shoshone Tribe of the Wind River Reservation, Wyoming, which reads:

§ 223.52 *Scope of program.* Programs shall contemplate the eventual use of the entire pro-rata share or definitely provide for the conservation of a portion of such share, but in no case shall a program provide for the expenditure in the first year, after its approval, of more than \$1,350 for each adult or more than \$500 for each minor contributing to the program, and the program shall recognize that future use and expenditures for such program after the first year shall depend upon the proper use of the funds initially authorized to be expended. Expenditures of a minor's funds under this subpart shall not exceed a total sum of \$500 and the remaining \$1,850 of each minor's share shall be held intact until his majority, as required in section 2 of the Act of July 27, 1939.

is amended to read:

§ 223.52 *Scope of program.* Programs shall contemplate the eventual use of the entire pro-rata share or definitely provide for the conservation of a portion of such share, but in no case, except as hereinafter provided, shall a program provide for the expenditure in the first year, after its approval, of more than \$1,350 for each adult or more than \$500 for each minor contributing to the program, and the program shall recognize that future use and expenditures for such program after the first year shall depend upon the proper use of the funds initially authorized to be expended: *Provided*, That the program of an adult may, with the approval of the Commissioner of Indian Affairs, provide for the expenditure in the first year after its approval of more than \$1,350, but only when such program contemplates an economic enterprise based on the purchase of land or the purchase of livestock and such enterprise, for its most effective development, requires the expenditure of more than \$1,350 in the first year after approval of the program. Expenditures of a minor's funds under this subpart shall not exceed a total sum of \$500 and the remaining \$1,850 of each minor's share shall be held intact until his majority, as required in section 2 of the Act of July 27, 1939.

OSCAR L. CHAPMAN,

Assistant Secretary of the Interior.

APRIL 9, 1940.

[F. R. Doc. 40-1511; Filed, April 15, 1940;  
9:14 a. m.]

## TITLE 29—LABOR

### CHAPTER IV—CHILDREN'S BUREAU

[Regulation No. 16]

#### CHILD LABOR

APRIL 12, 1940.

By virtue of and pursuant to the authority conferred by section 3 (1) of the Fair Labor Standards Act of 1938 (Act of June 25, 1938, c. 676, 52 Stat. 1060, U. S. Code, Supp. IV, tit. 29, sec. 201), § 402.1, Part 402, Title 29, of the Codification of Federal Regulations is hereby amended, effective March 28, 1940, to read as follows:

#### PART 402—ACCEPTANCE OF STATE CERTIFICATES

§ 402.1 *Designation of States.*<sup>1</sup> Pursuant to the provisions of § 401.5,<sup>2</sup> I

<sup>1</sup> This regulation replaces §§ 402.1 through 402.10, which were also designated as Child Labor Regulations Nos. 2, 4, 6, 7, 8, 9, 10, 11, 12, and 13, and were published in 3 F.R. 2500, 2533, 2627, 2693, and 2773, and 4 F.R. 382, 1637, 3328, 3339, and 3704, DI, respectively. Nos. 2 and 4 were republished in 4 F.R. 1391 DI.

<sup>2</sup> Section 5, Child Labor Regulation No. 1, "Certificates of Age," issued October 14, 1938, pursuant to the authority conferred by sections 3 (1) and 11 (b) of the Fair Labor Standards Act of 1938, published in 3 F.R. 2487 DI; republished in 4 F.R. 1361 DI.

<sup>1</sup> Relates to but does not actually amend § 301.16.



hereby designate the following States as States in which State age, employment, or working certificates or permits shall have the same force and effect as Federal certificates of age under the Fair Labor Standards Act of 1938:

Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

This designation shall be effective from November 1, 1939, until June 30, 1940.

[SEAL] MARTHA M. ELIOT, M. D.,  
Acting Chief of the Children's Bureau.

[F. R. Doc. 40-1512; Filed, April 15, 1940;  
10:19 a. m.]

### TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

#### CHAPTER I—VETERANS' ADMINISTRATION

##### JURISDICTION OF ADJUDICATING AGENCIES VETERANS' CLAIMS—SERVICE REQUIREMENTS

§ 2.1010 *Adjudication of applications.* Applications for disability compensation or pension under Public No. 2, 73d Congress and Public No. 141, 73d Congress, will be adjudicated in the appropriate field station when the applicant served in the military or naval forces on or after April 6, 1917, and prior to July 2, 1921, except:

(a) Applicant has a claim on file in central office for pension under the general pension law or various service pension acts.

(b) Applicant is a Veterans' Administration employee.

(c) Applicant resides beyond the continental limits of the United States.

(d) Jurisdiction is otherwise specifically vested in central office under § 4.2025. (April 15, 1940) [48 Stat. 8, 9, 525; 38 U.S.C. 366, 701, 704]

##### JURISDICTION

§ 4.2025 *Jurisdiction of the Claims Division, Central Office.* Within the jurisdiction of the claims division, central office, including the central disability board, will be included claims for disability compensation, pension, and retirement pay of the following classes:

(a) Where all service was prior to April 6, 1917.

(b) Where all service was subsequent to July 2, 1921.

(c) Where there was any service prior to July 16, 1903.

(d) Where there was service between April 6, 1917 and July 2, 1921, inclusive, under the following conditions:

(1) Where claim has been filed under the general law or various service pension acts;

(2) Where the protection provided by Public No. 788, 74th Congress relative to the general law rate is for application;

(3) Where the veteran is an employee of the Veterans Administration in the classified service or for ninety days continuously in the unclassified service;

(4) Where rights have been forfeited under the World War Veterans Act, 1924, as amended by section 15, Public No. 2, 73d Congress;

(5) Where the veteran is a claimant for retirement under section 5, Public No. 18, 76th Congress;

(6) Where the veteran resides without the continental limits of the United States;

(7) Where the veteran resides in the territory in or adjacent to Washington, D. C., and is not assigned to any other office.

(e) Claims under section 31, Public No. 141, 73d Congress. (See § 2.1005 (b))

(f) Emergency officers retirement as provided by § 3.1350.

(g) Determination whether the veteran was insane at time of commission of offense resulting in discharge otherwise precluding the award of disability compensation or pension under Public No. 2 and Public No. 141, 73d Congress. (See § 2.1094)

(h) Any claim referred, by competent authority, for action. (April 15, 1940) [48 Stat. 8, 9, 525; 38 U.S.C. 366, 701, 704]

§ 4.2050 *Jurisdiction of the Central Disability Board.* Canceled April 15, 1940. (See § 4.2025)

[SEAL]

FRANK T. HINES,  
Administrator.

[F. R. Doc. 40-1516; Filed, April 15, 1940;  
11:19 a. m.]

### TITLE 50—WILDLIFE

#### CHAPTER II—BUREAU OF FISHERIES

##### SUBCHAPTER A—ALASKA FISHERIES<sup>1</sup>

##### PART 205—ALASKA PENINSULA AREA FISHERIES

Section 205.6 is hereby amended to read as follows:

§ 205.6 *Minimum distance between units of fishing gear.* The distance by most direct water measurement from any part of one stake gill net, set or anchored gill net, or beach seine to any part of another stake gill net, set or anchored gill net, beach seine, or trap shall not be less than 1,800 feet.\*

\*All sections included in this document are issued under the authority contained in Sec. 1, 44 Stat. 752; 48 U.S.C. 221.

<sup>1</sup>See 5 P.R. 747.

Section 205.11 is hereby amended to read as follows:

§ 205.11 *Size of purse seines limited in certain waters.* Commercial fishing for salmon by means of any purse seine more than 200 fathoms in length and 250 meshes in depth is prohibited in the waters between Castle Cape and Cape Pankof, including Ikatan Bay and the waters of the Shumagin Islands.\*

Section 205.12 is hereby amended to read as follows:

§ 205.12 *Maximum length of salmon purse seine boats, exceptions.* No boat used in operating any purse seine shall be longer than 50 feet, as shown by official register length: *Provided*, That this shall not apply to such boats operated on the north side of the Alaska Peninsula or in the waters of this area on the south side of Unimak Island west of Cape Pankof.\*

##### PART 208—KODIAK AREA FISHERIES

Section 208.13 is hereby amended to read as follows:

§ 208.13 *Closed seasons, commercial salmon fishing, Alitak Bay.* Commercial fishing for salmon in Alitak Bay and all its branches within a line from Cape Trinity to Cape Alitak is prohibited prior to 6 o'clock antemeridian July 5 and after 6 o'clock postmeridian August 15 in each year: *Provided*, That this prohibition shall not apply to commercial fishing for salmon by set or anchored gill nets in the waters open for such fishing in Olga and Moser Bays in the period from 6 o'clock post meridian August 15 to 6 o'clock postmeridian August 20.\*

##### PART 209—COOK INLET AREA FISHERIES

Section 209.11 is hereby amended to read as follows:

§ 209.11 *Minimum distance between units of fishing gear.* The distance by most direct water measurement from any part of one set or anchored gill net to any part of another set or anchored gill net or trap shall not be less than 600 feet.\*

##### PART 223—SOUTHEASTERN ALASKA AREA, WESTERN DISTRICT, SALMON FISHERIES

Section 223.9 is hereby amended to read as follows:

§ 223.9 *Closed seasons, commercial salmon fishing south of Point Couverden.* Commercial fishing for salmon, other than trolling, south of a true line eastward from the southeastern extremity of Point Couverden is prohibited prior to 6 o'clock antemeridian July 5, from 6 o'clock postmeridian August 18 to 6 o'clock antemeridian October 5, and for the remainder of each calendar year after 6 o'clock postmeridian October 25.\*

Section 223.12a is hereby amended to read as follows:

§ 223.12a *Weekly closed period, commercial salmon fishing.* The 36-hour closed period for salmon fishing pre-



scribed by section 5 of the act of June 6, 1924, is hereby extended to include the period from 6 o'clock postmeridian of Friday of each week until 6 o'clock antemeridian of the Monday following, making a weekly closed period of 60 hours: *Provided*, That this extension of 24 hours closed period each week shall not apply to trolling, or to gill netting in Lynn Canal north of the north end of Sullivan Island.\*

PART 224—SOUTHEASTERN ALASKA AREA,  
EASTERN DISTRICT, SALMON FISHERIES

Section 224.11a is hereby amended to read as follows:

§ 224.11a *Weekly closed period, commercial salmon fishing.* The 36-hour closed period for salmon fishing prescribed by section 5 of the act of June 6, 1924, is hereby extended to include the period from 6 o'clock postmeridian of Friday of each week until 6 o'clock antemeridian of the Monday following, making a weekly closed period of 60 hours: *Provided*, That this extension of 24 hours closed period each week shall not apply to trolling, or to gill netting in Taku Inlet.\*

HAROLD L. ICKES,  
*Secretary of the Interior.*

APRIL 5, 1940.

[F. R. Doc. 40-1501; Filed, April 13, 1940;  
9:10 a. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[General Docket No. 15]

ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS, MINIMUM PRICES AS COORDINATED FOR DISTRICTS NUMBERS 1-20 INCLUSIVE, 22 AND 23

ORDER PROVIDING FOR MAILING OF SCHEDULES OF RECOMMENDED MINIMUM PRICES SUBMITTED BY EXAMINERS; AND MAKING SUCH SCHEDULES AVAILABLE FOR INSPECTION

The Examiners designated to conduct the hearing in the above entitled matter by Order dated May 16, 1939 of the National Bituminous Coal Commission and by Order dated July 8, 1939 of the Bituminous Coal Division of the United States Department of the Interior having filed with me, on April 13, 1940, in accordance with the terms of said orders, their complete Report containing proposed findings of fact and conclusions and a recommended Order in the premises, including Schedules of recommended minimum prices:

*It is ordered*, That copies of said Schedules of recommended minimum prices, except those heretofore mailed, be mailed to all interested persons who appeared at said hearing, to the Consumers' Counsel, to each district board, and to each Statis-

tical Bureau of the Division; and that copies of said Schedules be made available for public inspection at the Office of the Division, 734 15th Street, NW., Washington, D. C., at the offices of the Statistical Bureaus of the Division, and at the offices of the several district boards:

*Provided*, That the time for filing exceptions to the findings and recommendations of the Examiners, pursuant to the Order of July 19, 1939, shall not commence to run until the mailing of the full Report of the Examiners as provided in that Order; and

*It is further ordered*, That any interested person desiring to receive a copy of such Schedules may address a written request therefor to the Director of the Bituminous Coal Division, Washington, D. C.

April 13, 1940.

[SEAL]

H. A. GRAY,  
*Director.*

[F. R. Doc. 40-1518; Filed, April 15, 1940;  
11:28 a. m.]

### DEPARTMENT OF AGRICULTURE.

#### Farm Security Administration.

#### DESIGNATION OF COUNTIES IN CONNECTICUT FOR TENANT PURCHASE LOANS

APRIL 13, 1940.

Pursuant to the provisions of Title I of the Bankhead-Jones Farm Tenant Act, and section II 3 of Administration Order 230 of the Farm Security Administration, issued thereunder, and upon the basis of the recommendation of the State FSA Advisory Committee for Connecticut, the following counties are hereby designated as additional counties in which loans, pursuant to said Title, may be made under the provisions of said Order, for the fiscal year ending June 30, 1940:

Hartford and Tolland

[SEAL]

H. A. WALLACE,  
*Secretary of Agriculture.*

[F. R. Doc. 40-1510; Filed, April 13, 1940;  
11:39 a. m.]

### DEPARTMENT OF LABOR.

#### Wage and Hour Division.

#### APPLICATION FOR EXEMPTION OF THE SPRING FRESHET DRIVING OF LUMBER (OUTSIDE THE NORTHEASTERN AND LAKE STATES) FROM THE MAXIMUM HOURS PROVISIONS

Whereas H. C. Oliver of Helena, Arkansas, and sundry other parties, have filed applications with the Administrator of the Wage and Hour Division, United States Department of Labor, for a determination that the spring freshet driving of lumber is a branch of an industry of a seasonal nature within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as

amended, of the Regulations issued thereunder, and

Whereas the Administrator has determined that the spring freshet driving branch of the lumber industry conducted in the States of Maine, New Hampshire, New York, Vermont, Michigan, Minnesota, and Wisconsin, is entitled to the seasonal exemption provided in section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526, as amended, of the Regulations issued thereunder, and

Whereas it appears from the applications filed by H. C. Oliver and sundry other parties and upon further investigation that spring freshet driving elsewhere is similar in all material respects to spring freshet driving in the above-listed states, and

Whereas the Administrator published a preliminary determination in the FEDERAL REGISTER on March 19, 1940, (5 F.R. 1095) pursuant to § 526.5 (b) (ii) of the Regulations, as amended, that a prima facie case was shown by the application for the granting of an exemption pursuant to section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Part 526 of the Regulations, as amended, issued thereunder to the branch of the lumber industry which is engaged in spring freshet driving in the United States, and

Whereas no objection and request for hearing was received by the Administrator within the fifteen days following the publication of said preliminary determination;

Now, therefore, pursuant to § 526.5 (b) (ii) of the Regulations, as amended, the Administrator hereby finds on the *prima facie* case shown in the said application that the spring freshet driving of lumber in the United States is a seasonal industry within the meaning of section 7 (b) (3) of the Fair Labor Standards Act of 1938 and Regulations issued thereunder and, therefore, is entitled to the exemption provided in section 7 (b) (3) of the said Act.

Signed at Washington, D. C., this 11th day of April 1940.

PHILIP B. FLEMING,  
*Colonel, Corps of Engineers.*  
*Administrator.*

[F. R. Doc. 40-1505; Filed, April 13, 1940;  
11:07 a. m.]

#### EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY AT WAGE RATES BELOW THE MINIMUM WAGE.

#### NOTICE OF HEARING

Whereas, after a public hearing, Merle D. Vincent, authorized representative of the Administrator, on August 21, 1939, found and determined that, in order to prevent curtailment of opportunities for employment, special certificates should be issued pursuant to Section 14 of the Fair Labor Standards Act under certain circumstances for the employment of learners in various occupations in the hosiery industry at specified wage rates



lower than the minimum wage applicable under section 6 of the Act; and

Whereas, the determination of the said Merle D. Vincent by its terms was limited to the needs of the industry during the one-year period following the effective date of the Administrator's Wage Order for the Hosiery Industry, namely, September 18, 1939, for which reason certificates issued pursuant to said determination by their terms expire not later than September 18, 1940; and

Whereas, it now appears necessary (1) to reconsider the terms and conditions under which certificates should be issued for the employment of learners in the hosiery industry until September 18, 1940, and (2) to determine whether there is any necessity for the further issuance of certificates for the employment of learners in the hosiery industry at wage rates lower than the minimum wage applicable under section 6 of the Fair Labor Standards Act after September 18, 1940;

Now, therefore, notice is hereby given of a public hearing to commence at 11:00 a. m., Tuesday, April 30, 1940, at 939 D Street N. W., Washington, D. C., before Merle D. Vincent, Director of the Hearings Branch, hereby duly authorized to conduct said hearing and to determine:

What, if any, amendment should be made of the terms and conditions contained in the Determination of the Presiding Officer for the employment of learners in the hosiery industry, issued August 21, 1939, and published in the FEDERAL REGISTER August 24, 1939,

(a) with respect to the issuance of learner certificates to employers in the hosiery industry until September 18, 1940, and

(b) with respect to the necessity of employing learners in the hosiery industry after September 18, 1940 at wage rates below the minimum wage applicable under Section 6 of the Fair Labor Standards Act.

Any interested person may appear at this hearing for the purpose of presenting testimony or argument, provided that he files with the Presiding Officer, the said Merle D. Vincent, at 939 D Street N. W., Washington, D. C., a notice of intention to appear prior to 4:30 p. m., April 29, 1940, setting forth his name and address, the representative capacity in which appearance will be made, and the approximate length of his presentation. In lieu of personal appearance any interested person may file a written statement with the Presiding Officer, provided that it is received not later than 4:30 p. m., April 30, 1940.

As used in this notice, the term "hosiery industry" means:

The manufacturing or processing of hosiery including, among other processes, the knitting, dyeing, clocking, and all phases of finishing of hosiery, but not

including the manufacturing or processing of yarn or thread.

Signed at Washington, D. C., this 12 day of April 1940.

PHILIP B. FLEMING,  
Administrator.

[F. R. Doc. 40-1506; Filed, April 13, 1940; 11:07 a. m.]

#### NEWTON GLOVE MANUFACTURING COMPANY

#### NOTICE OF CANCELATION OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificate Number 107 issued to the Newton Glove Manufacturing Company, Newton, North Carolina, effective October 31, 1939, and Special Certificate Number 109, issued to the Knoxville Glove Company, Knoxville, Tennessee, effective October 28, 1939, are canceled effective April 16, 1940, pursuant to action taken under Section 14 of the Fair Labor Standards Act of 1938 and § 522.5 (b) of Regulations Part 522, as amended, issued thereunder.

This action is taken because of the issuance of new certificates in accordance with the Administrator's Findings and Determination of February 8, 1940, regarding the employment of learners in the Glove Industry, and replace the certificates previously issued to the above-mentioned companies.

Signed at Washington, D. C., this 15th day of April 1940.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 40-1523; Filed, April 15, 1940; 11:52 a. m.]

#### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued under Section 14 of the said Act and § 522.5 of Regulations Part 522, as amended, to the employers listed below effective April 16, 1940. These Certificates may be canceled in the manner provided for in the Regulations and as indicated in the Certificate. Any person aggrieved by the issuance of any of these Certificates may seek a review of the action taken in accordance with the provisions of §§ 522.13 or 522.5 (b), whichever is applicable of the aforementioned Regulations.

The employment of learners under these Certificates is limited to the occupations, learning periods, and minimum wage rates specified in the Determina-

tion or Order for the Industry designated below opposite the employer's name and published in the FEDERAL REGISTER as here stated:

Regulations, Part 522, May 23, 1939 (4 F.R. 2088), and as amended October 12, 1939 (4 F.R. 4226).

Hosiery Order, August 24, 1939 (4 F.R. 3711).

Apparel Order, October 12, 1939 (4 F.R. 4225).

Knitted Wear Order, October 24, 1939 (4 F.R. 4351).

Textile Order, November 8, 1939 (4 F.R. 4531).

Glove Order, February 20, 1940 (5 F.R. 714).

#### NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Boulevard Frocks, Inc., 510 1st Avenue, North, Minneapolis, Minnesota; Apparel; Dresses, Smocks, Housecoats; 5 percent; (23.33c per hour); October 24, 1940.

Coronet Manufacturing Company, 1000 Broadway, Kansas City, Missouri; Apparel; Robes, Neckwear, Sportswear; 5 learners; October 24, 1940.

Kent Manufacturing Company, 611 North Walnut Street, Milford, Delaware; Apparel; Children's Dresses; 5 learners; October 24, 1940.

Delight Foundation Garments, Inc., Kalamazoo, Michigan; Apparel; Corsets, Girdles, Brassieres; 10 learners; August 13, 1940.

F. Jacobson & Sons, Inc., 127 Arch Street, Albany, New York; Apparel; Sport Shirts; 25 learners; August 13, 1940.

Federal Silk Mills, Inc., Williamsport, Maryland; Textile; Cotton, Silk, Rayon; 56 learners; July 16, 1940.

The Joseph N. Eisendrath Company, Chicago, Illinois; Glove; Knit Fabric Gloves; 5 learners; October 24, 1940.

Signed at Washington, D. C., this 15th day of April 1940.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 40-1524; Filed, April 15, 1940; 11:52 a. m.]

#### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued pursuant to Section 14 of the said Act and § 522.5 (b) of Regulations Part 522 (4 F.R. 2088), as amended (4 F.R. 4226), to the employers listed below effective April 16, 1940. These Certificates are issued upon their representations that experienced workers for the learner occupations are not avail-



able and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. These Certificates may be canceled in the manner provided for in § 522.5 (b) of the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of any of these Certificates may seek a review of the action taken in accordance with the provisions of § 522.5 (b). The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

Louis Ettlinger & Sons, 945 Richmond Avenue, Port Richmond, New York; Fabricating; Jewelers' Paper Boxes; 3 learners; 6 weeks for any one learner; 25¢ per hour; jewelry-box assembler; July 13, 1940.

Porter Cut Glass Company, Pearl Alley, Bellaire, Ohio; Fabricating; Flutes on Whiskey Glasses; 2 learners; 8 weeks for any one learner; 25¢ per hour; Cutting of flutes on glasses; August 10, 1940.

Signed at Washington, D. C., this 15th day of April 1940.

MERLE D. VINCENT,  
Authorized Representative  
of the Administrator.

[F. R. Doc. 40-1525; Filed, April 15, 1940; 11:52 a. m.]

#### CIVIL AERONAUTICS AUTHORITY.

[Docket No. 28-401-E-1]

IN THE MATTER OF THE APPLICATION OF URABA, MEDELLIN AND CENTRAL AIRWAYS, INC., FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 401 OF THE CIVIL AERONAUTICS ACT OF 1938

#### NOTICE OF POSTPONEMENT OF HEARING

The above-entitled proceeding, being the application of Uraba, Medellin and Central Airways, Inc., for a certificate of public convenience and necessity authorizing air transportation between Cristobal, Canal Zone, and Medellin, Colombia, with intermediate stops at Balboa, Canal Zone, and at Turbo, Colombia, now assigned for public hearing<sup>1</sup> on April 29, 1940, is hereby postponed to May 27, 1940, 10 o'clock a. m. (Eastern Standard Time) at the Mayflower Hotel, Connecticut Avenue and DeSales Street, Washington, D. C., before Examiner Frank A. Law, Jr.

Dated Washington, D. C., April 13, 1940.

FRANK A. LAW, JR.,  
Examiner.

[F. R. Doc. 40-1517; Filed, April 15, 1940; 11:23 a. m.]

<sup>1</sup> 5 F.R. 1181.

#### FEDERAL SECURITY AGENCY.

##### Social Security Board.

CERTIFICATION TO THE UNEMPLOYMENT COMPENSATION DIVISION OF THE NEBRASKA DEPARTMENT OF LABOR

The Unemployment Compensation Division of the Department of Labor of the State of Nebraska having duly submitted to the Social Security Board, pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, as amended, the Nebraska unemployment compensation law, as amended, and the rules and regulations prescribed thereunder; and

The Social Security Board having considered the provisions of said law and rules and regulations to determine whether or not reduced rates of contributions are allowable thereunder under conditions fulfilling the requirements of section 1602 of the Internal Revenue Code;

The Board hereby finds that:

(1) Said law provides for the maintenance of reserve accounts as defined in section 1602 (c) (1) of the Internal Revenue Code; and

(2) Reduced rates of contributions allowable under said law and rules and regulations to such reserve accounts are allowable only under conditions fulfilling the requirements of section 1602 (a) (3) of the Internal Revenue Code.

Pursuant to the provisions of section 1602 (b) (3) of the Internal Revenue Code, the Board hereby directs that the foregoing findings be certified to the Unemployment Compensation Division of the Department of Labor of the State of Nebraska; *Provided, however*, That said findings shall not be construed to be applicable with respect to the conditions of section 1602 (a) (3) of the Internal Revenue Code, as amended, effective January 1, 1942.

[SEAL] SOCIAL SECURITY BOARD,  
By A. J. ALTMAYER,  
Chairman.

MARCH 26, 1940.

[F. R. Doc. 40-1498; Filed, April 12, 1940; 1:02 p. m.]

#### FEDERAL TRADE COMMISSION.

##### United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of April, A. D. 1940.

Commissioners: Ewin L. Davis, Chairman; Garland S. Ferguson, Charles H. March, William A. Ayres, Robert E. Freer.

[Docket No. 3923]

IN THE MATTER OF CHARLES OF THE RITZ DISTRIBUTORS CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursu-

ant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

It is ordered, That John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Wednesday, May 1, 1940, at nine o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL]

OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-1513; Filed, April 15, 1940; 11:12 a. m.]

##### United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of April, A. D. 1940.

Commissioners: Ewin L. Davis, Chairman; Garland S. Ferguson, Charles H. March, William A. Ayres, Robert E. Freer.

[Docket No. 3978]

IN THE MATTER OF READING BATTERIES, INC., BOWERS BATTERY MANUFACTURING CO., INC., ROYAL BATTERY CORPORATION, PRICE BATTERY CORPORATION AND PERINE QUALITY PRODUCTS CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

It is ordered, That W. W. Sheppard, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Friday, May 10, 1940, at nine o'clock in the forenoon of that day (eastern standard time) in Room Number Four, Twelfth Floor, Post Office Building, Boston, Massachusetts.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and receive evidence on behalf of the respondent. The exam-



ner will then close the case and make his report.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-1514; Filed, April 15, 1940;  
11:12 a. m.]

*United States of America—Before  
Federal Trade Commission*

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of April, A. D. 1940.

Commissioners: Ewin L. Davis, Chairman; Garland S. Ferguson, Charles H. March, William A. Ayres, Robert E. Freer.

[Docket No. 4046]

IN THE MATTER OF MEYER BRODIE AND MORRIS WHITE, INDIVIDUALLY AND TRADING AS M & M BAG AND SUIT CASE COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41),

*It is ordered* That John W. Addison, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered*, That the taking of testimony in this proceeding begin on Thursday, April 25, 1940, at nine o'clock in the forenoon of that day (eastern standard time) in Room 500, 45 Broadway, New York, New York.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 40-1515; Filed, April 15, 1940;  
11:12 a. m.]

**SECURITIES AND EXCHANGE COMMISSION.**

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 12th day of April, A. D. 1940.

[File Nos. 7-437 to 7-442, incl.]

IN THE MATTER OF APPLICATIONS BY THE WHEELING STOCK EXCHANGE FOR UNLISTED TRADING PRIVILEGES IN CONTINENTAL BAKING COMPANY, 8% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE, AND \$8 NON-CUMULATIVE PARTICIPATING CLASS A COMMON STOCK, NO PAR VALUE, AND CLASS B COMMON STOCK, NO PAR VALUE; WARD BAKING COMPANY, 7% CUMULATIVE PREFERRED STOCK, \$100 PAR VALUE, AND CLASS A COMMON STOCK, NO PAR VALUE, AND CLASS B COMMON STOCK NO PAR VALUE

ORDER DISPOSING OF APPLICATIONS FOR PERMISSION TO EXTEND UNLISTED TRADING PRIVILEGES

The Wheeling Stock Exchange, having made application to the Commission for the extension of unlisted trading privileges to the above mentioned securities, in accordance with a condition granting said Exchange exemption from registration as a national securities exchange and pursuant to the requirements of section 12 (f) of the Securities Exchange Act of 1934, as amended; and

After appropriate notice, a hearing having been held in this matter in Washington, D. C.; and

The Commission having this day made and filed its findings and opinion herein;

*It is ordered*, That the applications of the Wheeling Stock Exchange for permission to extend unlisted trading privileges to the following securities:

*Continental Baking Company*

8% Cumulative Preferred Stock, \$100 Par Value.

\$8 Non-Cumulative Participating Class A Common Stock, No Par Value.

Class B Common Stock, No Par Value.

*Ward Baking Company*

Class B Common Stock, No Par Value. be and the same are hereby granted.

*It is further ordered*, That the applications of the Wheeling Stock Exchange for permission to extend unlisted trading privileges to the following securities:

*Ward Baking Company*

7% Cumulative Preferred Stock, \$100 Par Value.

Class A Common Stock, No Par Value.

be and the same are hereby denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-1509; Filed, April 13, 1940;  
11:11 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its

office in the City of Washington, D. C., on the 12th day of April, A. D. 1940.

[File No. 31-73]

IN THE MATTER OF WISCONSIN SECURITIES COMPANY

ORDER DENYING EXEMPTION

Wisconsin Securities Company, a Delaware corporation, having made application for exemption from the provisions of the Public Utility Holding Company Act of 1935;<sup>1</sup> a hearing having been held on such application after appropriate notice; a trial examiner's report having been waived; requests for specific findings of fact and briefs having been filed; and

The record having been duly considered by the Commission, and the Commission having made appropriate findings of fact, all as fully set forth in the Findings and Opinion of the Commission this day issued;

*It is ordered*, That the application for exemption from the provisions of the Public Utility Holding Company Act of 1935 be and it is hereby denied.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-1508; Filed, April 13, 1940;  
11:11 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 12th day of April, A. D. 1940.

[File No. 70-41]

IN THE MATTER OF NEW ENGLAND GAS AND ELECTRIC ASSOCIATION AND KITTERY ELECTRIC LIGHT COMPANY

NOTICE OF FILING OF DECLARATION

Notice is hereby given that New England Gas and Electric Association, a registered holding company, and Kittery Electric Light Company, its wholly-owned subsidiary, have filed a declaration with this Commission pursuant to Rule U-12B-1 promulgated under the Public Utility Holding Company Act of 1935, relating to an advance on open account by New England Gas and Electric Association to Kittery Electric Light Company in the sum of \$20,000, bearing interest at the rate of 6% per annum. Said declaration states that the proceeds are to be used by Kittery Electric Light Company for essential construction projects.

Pursuant to the provisions of Rule U-12B-1 said declaration will become effective on the 26th day of April 1940, unless prior to that date the Commission shall issue an order for hearing on such

<sup>1</sup>Section 3 (a) (3) (A).



declaration, or unless such effective date is otherwise delayed in accordance with the provisions of said rule.

Notice is given to States, State Commissions, State Securities Commissions, Municipalities, and other political subdivisions of a State, to consumers and security holders, and to representatives of consumers or of security holders and to all other persons, of the filing of the aforesaid declaration, and any request that a hearing be held with respect to said declaration shall be filed with the Commission not later than April 19, 1940. Any such request for hearing shall include a statement of reasons why such hearing is requested.

Pursuant to direction of the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-1507; Filed, April 13, 1940;  
11:11 a. m.]

*United States of America—Before the  
Securities and Exchange Commission*

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 11th day of April, A. D. 1940.

[File No. 59-9]

IN THE MATTER OF STANDARD POWER AND  
LIGHT CORPORATION, STANDARD GAS AND  
ELECTRIC COMPANY, AND SUBSIDIARY  
COMPANIES THEREOF, RESPONDENTS

ORDER EXTENDING TIME FOR FILING ANSWERS,  
AND HEARING

Standard Gas and Electric Company, in behalf of itself and all other Respondents herein except Standard Power and Light Corporation, having filed a petition on April 10, 1940 for an extension of the time for the filing of answers herein by said Respondents for a period of sixty days from April 16, 1940, the date fixed for the filing of answers in

the order herein for hearing; and for a corresponding sixty day extension of the date fixed for a hearing, which date was the twentieth day after April 16, 1940;

It appearing to the Commission from said petition that the granting of such extension would be in the public interest and in the interest of investors and consumers;

*It is ordered*, That the time for the filing of answers herein by Standard Gas and Electric Company and all other Respondents except Standard Power and Light Corporation is extended for a period of sixty days from April 16, 1940, and the date fixed for hearing is extended for a period of sixty days from the twentieth day after April 16, 1940.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,  
Secretary.

[F. R. Doc. 40-1519; Filed, April 15, 1940;  
11:36 a. m.]